

**From:** Erik Michaels-Ober  
**To:** Microsoft ATR  
**Date:** 1/24/02 10:26pm  
**Subject:** The Microsoft Settlement

I find the settlement in the case of U.S. v. Microsoft unacceptable for the following reasons:

- (1) It will not change the fact that most all desktop computers are distributed with Microsoft's Windows operating system. This has to do with contracts between Microsoft and computer hardware vendors to include the Windows operating system on all new computers sold. This leads to an increased cost to the end user who might be satisfied with a free alternative to Windows but does not know that such alternatives exist.
- (2) It allows Microsoft to keep their advanced programming interface (API) secret, preventing software makers from utilizing the internal features of the Windows operating system.
- (3) It allows Microsoft to keep their file formats (specifically the file formats of Office applications) secret, preventing other pieces of software from interacting with these applications in the same way that they interact with each other or other Microsoft software.
- (4) It allows Microsoft to keep its source, the underlying code of its software, secret. This presents a security concern because this software is used within the government. It is hypocritical for the government to be using software made by a company that it is prosecuting as an illegal trust. If you look at why the government uses Microsoft software you may find why the general public gets forced into using it. The ruling should include a recommendation that all government computers be switched to secure software with available source code.
- (5) Financial punishment of Microsoft is insufficiently small. This company has become one of the largest in America through illegal business practices. They have stolen from the American public and the economy (by stifling real innovation) and deserve to suffer.

Sincerely,  
Erik Michaels-Ober